

## Strictly Confidential Information

Strictly confidential information is information that is known about a student or that is contained in a written record that would be illegal to disclose either verbally or in written form without a signed release of information form. If a student discloses any of the following types of information, legally that information is to be considered *strictly confidential* and therefore “private:”

- Disclosure of a diagnosed learning disability
- Disclosure of previous status as a student eligible for special education and related services
- Disclosure of any other type of diagnosed physical or mental disability
- Disclosure of a diagnosed medical condition
- Disclosure of use of any prescription drugs
- Disclosure of history of drug/alcohol abuse and/or treatment
- Disclosure of status as HIV positive or of having the AIDS virus
- Official transcripts including GED scores

The following procedures should be used in handling strictly confidential information:

- Any written reference to strictly confidential information must be maintained in a **distinct file that must be separate from routine student information, be clearly marked “confidential” and retained in a locked filing cabinet or drawer.**
- Filing cabinets or drawers containing strictly confidential information must be labeled as “Confidential.” Cabinets or drawers must remain locked, be inaccessible to students or support staff, and must have a log filed in the front of each locked drawer to indicate when confidential files are accessed by any instructional or administrative staff person. The log must indicate the date, the purpose for access, and the name of the person accessing information.
- Strictly confidential information files will be maintained at the local program level for a period of not less than five years. Local policies may extend this period. Strictly confidential information must be shredded when discarded.
- Obtaining **verbal consent is not sufficient** to allow transmittal of confidential information to anyone either in conversation or in writing.
- Strictly confidential information (in the form of a diagnosis, specific accommodations, etc.) regarding a student **cannot be shared with the program’s teaching, support, or administrative staff** without a written release of information, which is read aloud and signed by the individual (or his/her guardian) who disclosed this information. The release of information form must specify the particular individual(s) with whom specific information can be shared. Use the *Authorization for Release of Strictly Confidential Information to Local Staff or Volunteers* form.

## Strictly Confidential Information *(continued)*

- Strictly confidential information regarding a student **cannot be discussed, nor can any record be shared externally**, without a written release of information. The release of information form must have been read aloud and signed by the individual (or his/her guardian) who disclosed this information. Use the *Authorization for Release of Information to External Agencies and Individuals* form when transmitting information to an external agency or to an outside individual.
- Release of information forms should be photocopied/retyped on a local program letterhead.